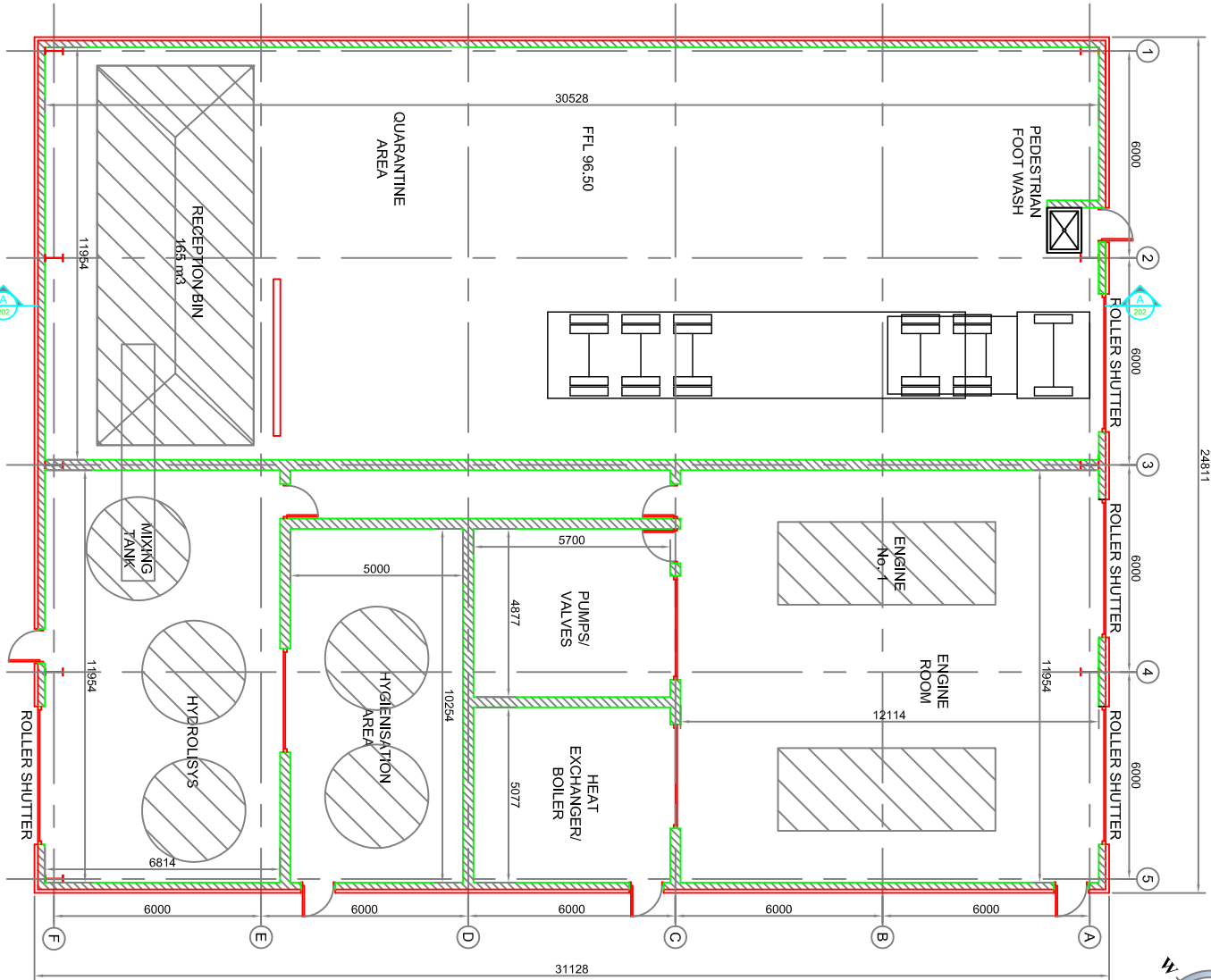


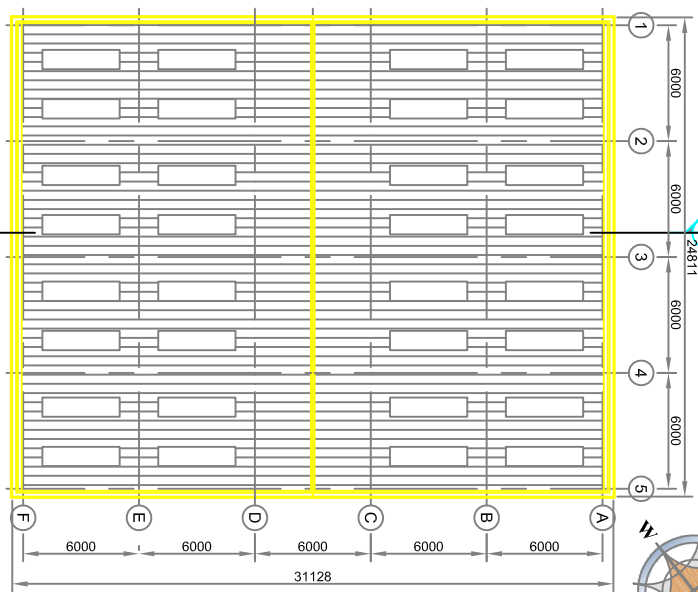
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Appendix A1

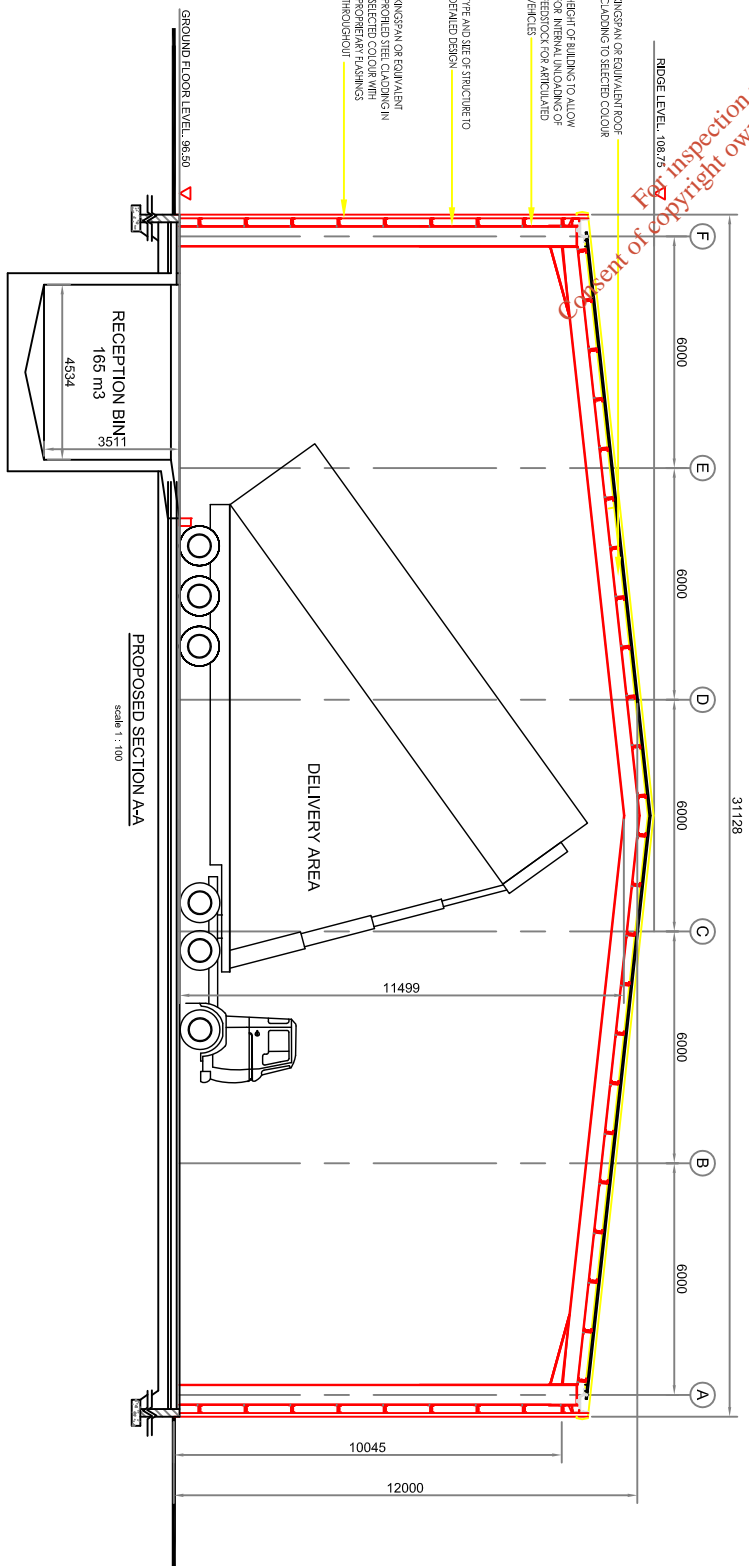
Infrastructure associated with waste acceptance



PROPOSED GROUND FLOOR PLAN RECEPTION BUILDING
Scale: 1 : 100



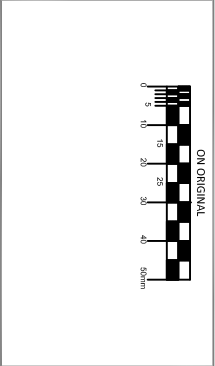
ROOF PLAN
Scale: 1 : 200



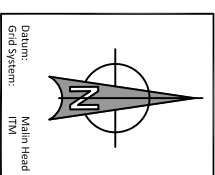
PROPOSED SECTION AAA
Scale: 1 : 100

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REV. NO.	DATE	REVISION NOTE	DWN BY:	CRD BY:
		ISSUED FOR PLANNING		



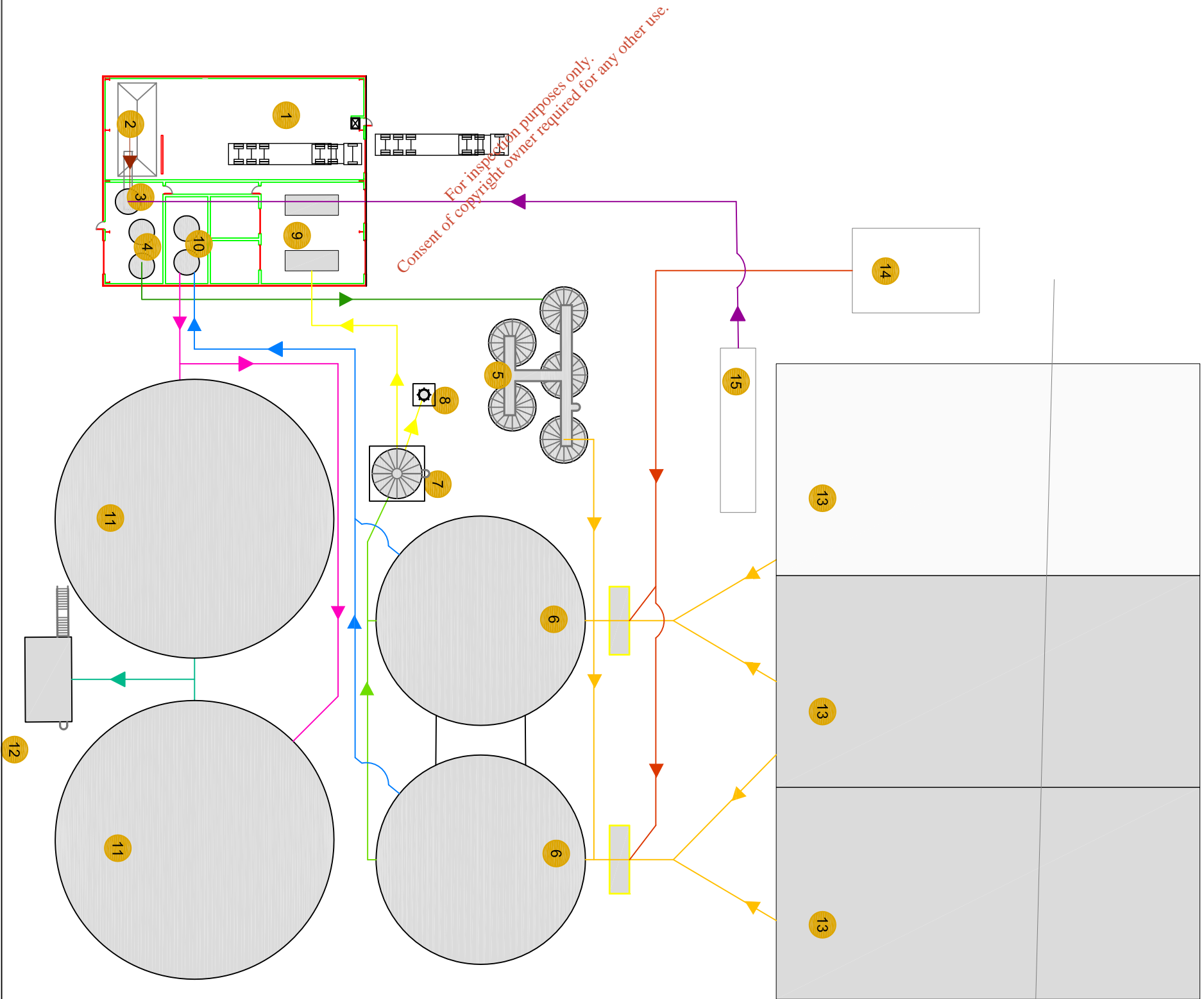
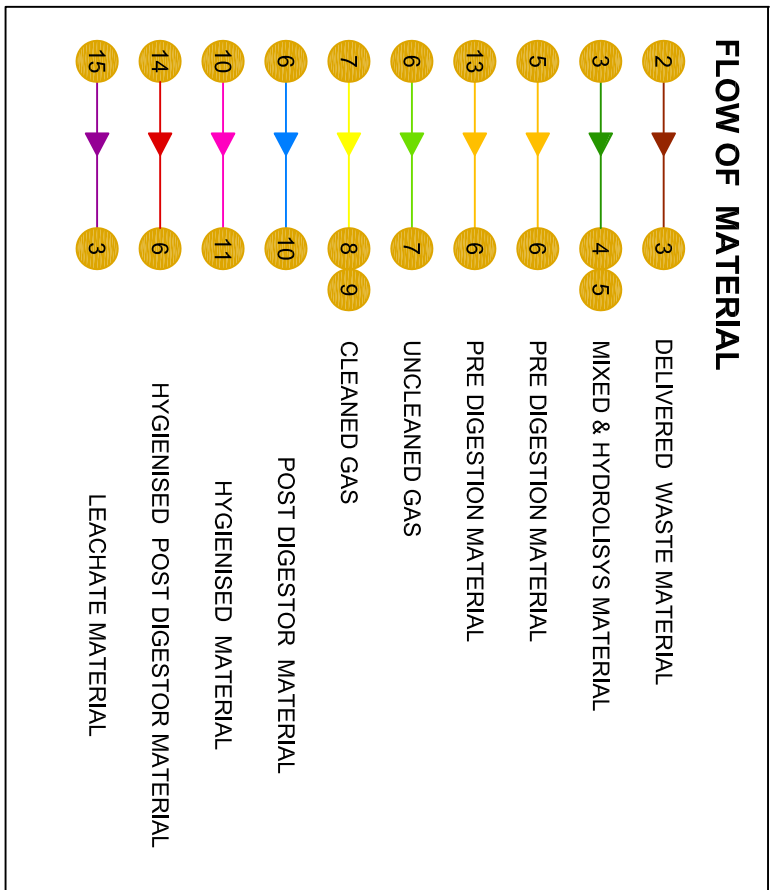
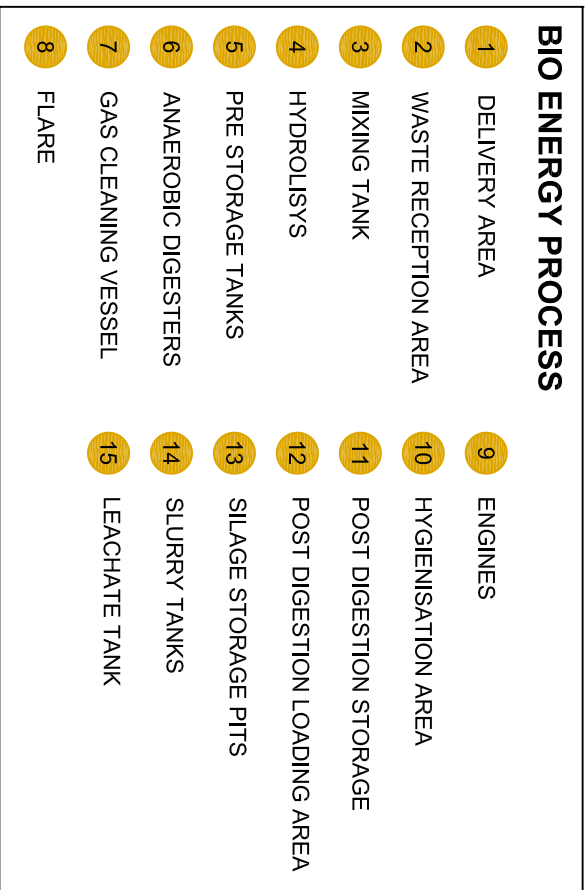
CLIENT:	BIO AGRIGAS LTD
PROJECT:	PROPOSED NEW BIOENERGY FACILITY AT NEWDOWN, THE DOWNS, CO. WESTMEATH
TITLE:	PROPOSED FLOOR PLAN, ROOF PLAN & TYPICAL SECTION OF RECEPTION BUILDING
DRAWN:	CB
CHECKED:	
APPROVED:	
DRAWING NO.:	111_001_803
DATE:	JULY 2012
SCALE:	AS SHOWN
REV.:	D1

ORS Building Millington Co. Westmeath
T: +353 (0) 44 934 2538 F: +353 (0) 44 934 4573
E: info@ors.ie
W: www.ors.ie
ISO 9001:2008 QUALITY ASSURED ORGANISATION

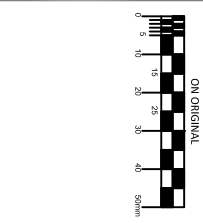
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Appendix A2

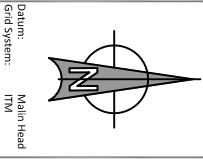
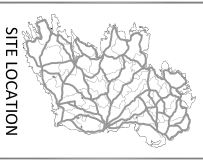
Process flow diagram



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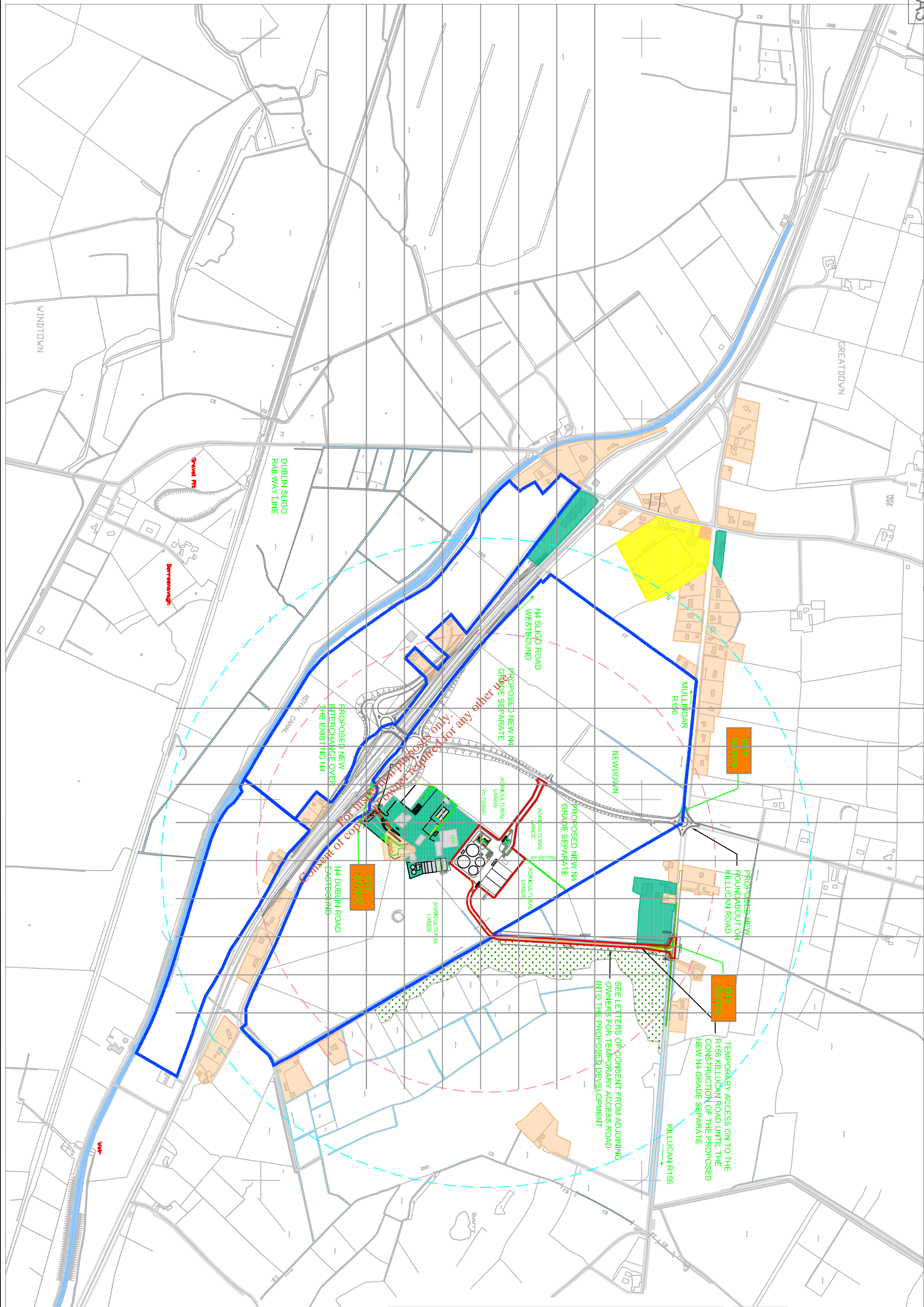
CLIENT:	THOMAS FLYNN
PROJECT:	PROPOSED NEW BIOENERGY FACILITY AT NEWDOWNS, THE DOWNS, MULLINGAR, CO. WESTMICH
TITLE:	PROPOSED PROCESS MAP
DRAWN:	CB
CHECKED:	
APPROVED:	
DRAWING NO.:	111_001_804
REV.:	D1
DATE:	JULY 2012



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Appendix B1

Site ownership

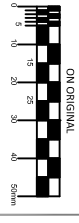


GRID REFERENCE
 X= 651100
 Y= 750600

- RESIDENTIAL
- COMMUNITY FACILITY
- AGRICULTURAL ACTIVITY
- FORESTRY
- SITE BOUNDARY
- LAND OWNERSHIP
- CANAL / STREAM
- 500M DISTANCE FROM SITE BOUNDARY
- 750M DISTANCE FROM SITE BOUNDARY

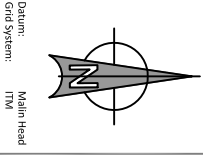
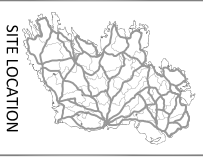
DRAFT

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REV. NO.	DATE	ISSUED FOR APPROVAL
D2	26/04/12	ISSUED FOR APPROVAL

OWN BY:	COO BY:
RN	DC



CLIENT:	THOMAS FLYNN
PROJECT:	PROPOSED BIOENERGY FACILITY AT NEWDOWNS, THE DOWNS, CO. WESTMEATH
TITLE:	SITE LOCATION MAP
DATE:	JULY 2012
SCALE:	1:10000
DRAWN BY:	RN
CHECKED BY:	
APPROVED BY:	
DRAWING NO.:	111_001_800
REV.:	D2

ORS
 Consulting Engineers

ONS Consulting Engineers, Co. Westmeath
 T: +353 (0) 44 934 2518 F: +353 (0) 44 934 4573
 ISO 9001:2000 QUALITY ASSURED COMPANY

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Appendix B2

Site Layout Plan



- BIO ENERGY PROCESS**
- 1 DELIVERY AREA
 - 2 WASTE RECEPTION AREA
 - 3 MIXING TANK
 - 4 HYDROLYSIS
 - 5 PRE STORAGE TANKS
 - 6 ANAEROBIC DIGESTERS
 - 7 GAS CLEANING VESSEL
 - 8 FLARE
 - 9 ENGINES
 - 10 HYGIENISATION AREA
 - 11 POST DIGESTION STORAGE
 - 12 POST DIGESTION LOADING AREA
 - 13 SILAGE STORAGE PITS
 - 14 SLURRY TANKS
 - 15 LEACHATE TANK

- FLOW OF MATERIAL**
- 2 DELIVERED WASTE MATERIAL
 - 3 MIXED & HYDROLYSIS MATERIAL
 - 4 PRE DIGESTION MATERIAL
 - 5 UNCLEANED GAS
 - 6 CLEANED GAS
 - 7 POST DIGESTOR MATERIAL
 - 8 HYGIENISED MATERIAL
 - 9 LEACHATE MATERIAL

- LANDSCAPING LEGEND:**
- TARMACADAM
 - GRASS AREA
 - GRAVELLED AREA

DRAFT



REV. NO.	DATE	REVISION NOTE	OWN BY	COO BY
D2	26/04/12	ISSUED FOR APPROVAL	RN	DC

OWN BY: RN
COO BY: DC



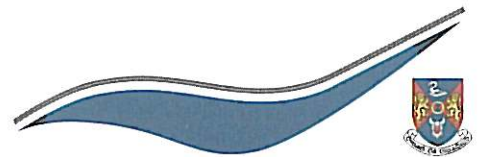
PROPOSED SITE LAYOUT
SCALE 1:1,500

CLIENT:	THOMAS FLYNN
PROJECT:	PROPOSED BIOENERGY FACILITY AT NEWDOWNS, THE DOWNS, CO. WESTMEATH
TITLE:	SITE LAYOUT
DRAWN:	RN
CHECKED:	
APPROVED:	
DRAWING NO.:	111_001_801
DATE:	JULY 12
SCALE:	1:1,000
REV:	D2

ORS Consulting Engineers
 111_001_801
 T: +353 (0) 44 934 2518 F: +353 (0) 44 934 4973
 E: info@ors.ie W: www.ors.ie
 50 SPOON 2000 QUALITY ASSURED COMPANY

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Appendix B3
Planning permission and conditions



WESTMEATH COUNTY COUNCIL
Comhairle Chontae na h-Iarmhí

REGISTERED POST:

TO: Bio Agrigas Ltd
C/O Colin Bolger,
Marlin Architects,
Marlinstown Office Park,
Mullingar.

WESTMEATH COUNTY COUNCIL
Comhairle Chontae na h-Iarmhí
JOB NO
ATN
SEEN
RECEIVED
23 FEB 2012
ORS Consulting Engineers

**Re: PLANNING AND DEVELOPMENT ACTS, 2000-2010
NOTIFICATION OF DECISION**

Planning Register Number: 11/5055
Application Received: 25/05/2011
Further Information Received Date: 23/12/2011

In pursuance of the powers conferred upon them by the above-mentioned Acts, Westmeath County Council has by Order dated 22/02/2012 decided to **GRANT PERMISSION** to the above-named for development of land, in accordance with the documents submitted:- Bio-energy facility containing a Reception Building, Reception Area, Engine room, Pumps and Heat Exchangers, Administration Building containing Office, Staff and Amenity and Changing facilities. Permission is also sought for Tank Farms to include 2 No. Anaerobic Digestors, 2 No. Post Digestion Storage Tanks, 5 No. pre-storage tanks, Gas flare and Gas cleaning vessel. Ancillary facilities will include 1 No. Weighbridge, ESB Substation, Post Digestion Loading Area, Wheel Wash Area, on site Waste Water Treatment System, fencing, gates, New entrance road to proposed N4 Grade Separation Scheme and Internal Roads with all associated works including landscaping, boundaries and services above and below ground. Permission is also sought for temporary Road Access on to the R156 Killucan road from the proposed development during the construction of the new N4 Grade Separation Scheme. The process of Anaerobic Digestion is the subject of an application for a Waste Licence, all of which is described in detail in an accompanying Environmental Impact Statement (EIS). All of the relevant waste recovery activities as per the fourth schedule of the Waste Management Act 1996 -2003, to which this application relates. AT Newdown, The Downs, Mullingar. for the reasons and considerations set out in Schedule 1 and subject to the 14 conditions set out in Schedule 2 hereto.

Signed on behalf of Westmeath County Council

M. Moore
PLANNING.

Date: 22/02/2012

Provided there is no appeal against this DECISION a grant of planning permission will issue at the end of four weeks plus three working days (see footnote). THIS NOTICE IS NOT A GRANT OF PERMISSION AND WORK SHOULD NOT COMMENCE UNTIL PLANNING PERMISSION IS ISSUED.

Note:

- Any appeal against a decision of a Planning Authority under Section 26 of the Act, of 1963 or Section 127 of the Act of 2000, whichever may apply, may be made to An Bord Pleanála within the appropriate period.
- Appeals should be addressed to the Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. In the case of an appeal by any other person, particulars of the proposed development and the date of the decision of the Planning Authority should be stated. The appeal must be fully complete, with your name and address, the subject matter of the appeal, the full grounds of appeal and supporting arguments and material and be accompanied by the correct fee.
- A valid appeal shall conform with section 127 (4)(a-g) of the Planning & Development Act 2000 and shall include the following
 - be made in writing;
 - state the name and address of the appellant or person making the referral and of the person, if any, acting on his or her behalf;
 - state the subject matter of the appeal or referral;
 - state the full grounds of appeal or referral and the reasons, considerations and arguments on which they are based;
 - in the case of an appeal under section 37 by a person who made submissions or observations in accordance with the permission regulations, be accompanied by the acknowledgement by the planning authority of receipt of the submissions or observations;
 - be accompanied by such fee (if any) as may be payable in respect of such appeal or referral in accordance with Section 144; and
 - be made within the period specified for making the appeal or referral.

Fees Payable to the Board on or after the 10th December 2007:

- Application for strategic infrastructure development or a request to alter the terms of such development already permitted or approved: €100,000.
- Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made where the application relates to unauthorised development: €4,500 or €9,000 if EIS involved;
- Appeal against a decision of a planning authority on a planning application relation to commercial development and made by the person by whom the planning application was made other than an appeal mentioned at (b): €1,500 or €3,000 if EIS involved;
- Appeal against a decision of a planning authority on a planning application by the person by whom the planning application was made, where the application relates to unauthorised development other than appeal mentioned at (b) or (c): €660;
- Appeal other than an appeal mentioned at (b), (c), (d) or (g): €220; (f) Application for leave to appeal: €110;
- Submissions or observations (by observer) on strategic infrastructure development applications, appeals and referrals: €50;

Commercial development includes the provision of two or more dwellings. The appeal must be fully completed with your name and address, the subject matter of the appeal, the full grounds of appeal and supporting arguments and material and be accompanied by the correct fee.



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Schedule One.

File Ref: 11/5055

Having regard to the provisions of The County Development Plan 2008-2014, it is considered that, subject to compliance with the conditions set out in the attached Schedule (Schedule Two), the proposed development would not be contrary to the proper planning and sustainable development of the area.

Schedule Two.

File Ref: 11/5055

1. The development shall be carried out strictly in accordance with the plans and details received by the Planning Authority on 25th May 2011 as amended by revised plans and details received on the 23rd December 2011 except as may otherwise be required in order to comply with the following conditions.

Reason: In the interests of orderly development and clarity.

2. **Development Contribution**

Prior to the commencement of development or as otherwise agreed in writing with the Planning Authority, the developer shall pay the sum of **€32,731.00** (Thirty Two Thousand, Seven Hundred and Thirty One Euro), as set out below, to the Planning Authority as a contribution, in accordance with the Council's Development Contribution Scheme adopted in 2007, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority, and that is provided or that it is intended will be provided by, or on behalf of, the Council.

The contribution payable will be based on the contribution rate applicable at the time of payment and not the rate in existence when permission is granted. The amount of the development contribution will be updated annually on the 1st January in accordance with changes in the Wholesale Price Index (Building and Construction), (Capital Goods) and penalty interest for late payment, in accordance with the terms of the Council's Development Contribution Scheme:-

Class of Infrastructure	Rate per unit/m ²	m ²	Amount of Contribution
G. Development not coming within any of the foregoing classes	€35.50	922 m ²	€32,731.00
Total			€32,731.00

Reason: It is considered reasonable that the developer should contribute towards the expenditure incurred or proposed to be incurred by Westmeath County Council in respect of the provision/improvement of public services/infrastructure benefiting development in the area of the Planning Authority.

3. All existing hedgerows and trees on site shall be maintained, except any treatment that necessitates the achievement of above mentioned sight lines and replacement boundary treatment shall be of an indigenous native species hedge secured by timber post and wire

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fencing. The remaining site boundaries shall be of a planted indigenous native species hedge secured by timber post and wire fencing.

Reason: To ensure the amenity afforded by existing hedges is maintained and to ensure the development integrates into the existing landscape.

4. The modifications and mitigation measures in the reports of ORS Consultants reports received by Westmeath County Council on the 25th May 2011 and revised reports received on the 23rd December 2011 shall be implemented in full by the applicants.

Reason: In the interest of public health.

- 5i. Prior to commencement of development, a landscaping scheme and detailed planting schedule shall be submitted to the planning authority for written agreement. This scheme shall include details of all existing trees and hedgerows on the site, specifying those proposed for retention, together with measures for their protection during the period in which the development is carried out. The site shall be landscaped in accordance with the agreed scheme, which shall also include a timescale for implementation.
- ii. Details of site boundary treatments shall be submitted for the written agreement of the planning authority.

Reason: In the interest of visual amenity.

- 6i. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to the planning authority for agreement.
- ii. A sample of the proposed external finishing material and colours to be used shall be submitted to and agreed with the Planning Authority prior to commencement of development.

Reason: In the interest of orderly development and the visual amenities of the area.

7. No sign, banner or advertisement shall be erected or displayed on the proposed structures or within the curtilage of the site without a prior grant of planning permission.

Reason: In the interest of visual amenity.

8. **Engineering Conditions;**

- i. Proposed access road from R-156 shall be upgraded as required for HGV access and maintained by applicant.
- ii. Road drainage shall not be impeded as a result of works carried out at junction of R-156 and L-56031.
- iii. Wheel wash facility must be provided on site before commencement of any development on site. All vehicles leaving site must use this facility. No muck is to be dragged onto the public road.
- iv. Surface water and foul water shall be disposed of on a separate system basis.
- v. No construction shall take place over existing underground services.
- vi. The applicant shall indemnify the County Council from any damage that may arise to the existing services where connections are being made.
- vii. All water service pipes shall be laid at a minimum depth of 600mm below final finished ground level. Meter boxes, meters and stopcocks shall be so laid as to maintain this minimum dept of 600mm. This provision shall be certified by a suitably qualified person with professional indemnity insurance and certification shall be submitted to the Planning Authority within 3 months of completion of installation.
- viii. Prior to the commencement of any development the applicant/developer shall submit documentary evidence which shall be signed by a commissioner for Oaths to provide for the achievement of 2.4m x 90m sightlines and sightlines at the junction of the L-56031 with the

R156 involves works on lands outside of the applicants control, documentary evidence shall be submitted confirming the agreement of the relevant landowner to the works necessary to achieve the above mentioned sightlines which shall be signed by a Commissioner for Oaths.

- ix. Prior to the commencement of any development the applicant/developer shall submit a section through the junction between the R-156 and L-56031 detailing the existing and proposed vertical alignment shall be submitted for approval by the planning authority.

Reason: In the interests of orderly development and traffic safety.

9. The construction roadworks for the N4 The Downs Grade Separation are underway and access from this development (file ref 11/5055) (either Construction or Operational) will not be permitted from the realigned R156 until the roadworks are complete with normal maintenance transferred by the contractor to Westmeath County Council and consent to this access is given in writing by the Senior Engineer of Westmeath National Road Design Office which shall be submitted for the written agreement of the planning authority.

Reason: The proposed new entrance road to the N4 The Downs Grade Separation Scheme as shown on drawing number 111/001/201 submitted by the applicant is premature pending the completion of construction of the new N4 The Downs Grade Separation Scheme.

10. Environment Conditions

- i. No development shall commence until an IPPC licence has been granted for the facility.
- ii. All existing hedgerows and trees etc. on site shall be maintained, except any treatment that necessitates the achievement of above mentioned sight lines and replacement boundary treatment shall be of an indigenous native species hedge secured by timber post and wire fencing. The remaining site boundaries shall be of a planted indigenous native species hedge secured by timber post and wire fencing.
- iii. Applicant shall comply with the following:
- (a) All raw materials delivered to the site to be accepted at a designated bunded concrete reception area for unloading directly into the reception tank.
- (b) All feedstocks delivered to the facility shall be delivered in a fully enclosed sealed containers. All operations associated with the delivery and treatment of feedstock shall take place within the fully enclosed facility.
- (c) Prior to commencement of development, details of lighting arrangements for the overall site which shall be designed to minimize light spillage outside the site, shall be submitted to the Planning Authority for written agreement.
- (d) Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to and agreed in writing with the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material.
- iv. During the construction phase of the proposed development;
- (a) Bunded storage areas shall be provided for the containment of oil, fuel storage tanks, chemicals and any other materials which pose a risk to water during the construction period. The bunded area shall be equivalent to a volume of 110% of the capacity of largest container stored. The proposed method of drainage of the bunded area shall be to the satisfaction of the Planning Authority.
- (b) The developer shall ensure that adequate measures are in place (and agreed with the Planning Authority) to prevent water with high suspended solids content, caused by the construction of the proposed development from discharging into streams and watercourses.

- (c) Arrangements for the collection, storage and disposal of all foul sewage effluent arising from any temporary site sanitary facilities shall be submitted to and agreed with the Planning Authority prior to commencement of development. .
- v. Prior to commencement of development, the developer shall put in place monitoring arrangements for the measurement of noise emissions, dust deposition and suspended solids of surface water run-off associated with the initial construction phase of the development. During the construction phase of the development, the developer shall submit to the planning authority, on a frequency to be determined by the planning authority, the results of the monitoring programme. Monitoring locations for the above shall be agreed in writing with the planning authority prior to commencement of development.
 - vi. Dust deposition during the initial construction phase of the proposed development shall not exceed 350 milligrammes per square metre per day (DIN standard) when measured at the site boundaries and averaged over 30 days. The site access road to be kept clean so that no muck or debris is allowed onto the public road.
 - vii. All oil and hydrocarbons to be stored in a bunded area. The bund to be designed to BS 8007: 1987 code of practice for the design of concrete structures for retaining aqueous liquids.
 - viii. The wheels and underside of all construction traffic leaving the site shall be cleaned, as required, to prevent soiling of public roads. In the event that any public roads become soiled by construction traffic from the site, these roads shall be cleaned immediately.
 - ix. All existing hedgerows and trees etc. on the site shall be maintained, except any treatment that necessitates the achievement of above mentioned sight lines and replacement boundary treatment shall be of an indigenous native species hedge secured by timber post and wire fencing. The remaining site boundaries shall be of a planted indigenous native species hedge secured by timber post and wire fencing.
 - x. A weighbridge to be used on the site to record all materials imported/exported to and from the site.
 - xi. Dust deposition shall not exceed 240mg/m³/day beyond the boundary of the site. This limit shall be based on a 30 day composite sample.
 - xii. All organic fertiliser generated on site for use on agricultural lands shall be applied to those lands in accordance with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2010.
 - xiii. A separate collection system for clean and dirty shall be provided. The dirty water collection system shall discharge to a dirty water collection tank where it shall be used in the digestion process or spread on agricultural land in accordance with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2010.
 - xiv. Hazardous waste/material encountered during the course of demolition or excavation works shall be disposed of in accordance with the Waste Management Act 1996 as amended.

Reason: In the interests of the environment proper planning and sustainable development.

11. Road Design

- i. The applicant shall upgrade the existing L-56031 public roadway in accordance with Table 1 below:

Table 1

Layer	Depth	Material to BS 594987:2007	NRA Specification
Double Surface Dressing		Double Surface Dressing Layer, 14mm first layer 6mm second layer, Standard Cationic Emulsion, 1.6l/m ² and 0.6l/m ² first and second layers respectively. Minimum PSV60	Clause 919
Wearing course	25mm	AC 10 close surface. Pen 70/100	Clause 906

Base course	40mm	AC 20 dense binder/HDM. Pen 70/100	Clause 906
Roadbase	80mm	AC 32 dense base/HDM. Pen 70/100	Clause 906
Sub-base	150mm	Type B	Clause 804
Capping	300mm	6F2, crushed rock	Clause 613

- ii. Minimum road width of 4m with allowance for passing bays at 250m centres.
- iii. Prior any work on the proposed development commences, the existing boundary fence and hedge shall be removed on the left and right hand side of the junction entrance to the L-56031 from the R156. Sightlines of 150m x 2.4m shall be provided and maintained at all times from the proposed access point. The existing hedge boundary shall be removed only to the extent necessary to achieve sight distance. The new boundary fence shall be constructed not less than 6 meters from the centre line of the adjoining public road. All new road boundaries shall be with a hedgerow of mixed native species, interspersed with semi-mature trees of a native species planted on the inside secured by a timber post and wire fence.
- iv. The applicant shall achieve and maintain sightlines at the location of the proposed entrance of the temporary access road with the L-56031. These sightlines shall be provided in accordance with the following table:

X	Y	Applicable for:
2.4 metres	90 metres	County Roads

(X distance is measured from the metalled edge of the major road at the proposed entrance, Y distance is measured from the middle of the lane where the emerging vehicle is stopped to a point Y metres on all approaches for the full road width of that approach. The eye height to be 1.05 metres and the object height to be 1.15 metres.)

- v. The applicant shall agree to restrict the use of the proposed temporary access junction, from the facility, with the L-56031 on completion of any proposed access road to the Downs Separation Scheme, to two axle vehicles. Details of such an agreement shall be agreed with the Planning Authority prior any building works
- vi. The applicant has failed to comply with the further information request No. 8(v). Prior to commencement of any building works the applicant shall submit documentary evidence confirming the agreement of the relevant landowner to the works necessary to achieve all necessary sightlines. This documentary evidence shall be signed by a Commissioner of Oaths.
- vii. Prior to commencement the applicant shall enter into a legally binding agreement with Westmeath County Council for the upgrading of the L-56031 in accordance with the construction specification detailed in Item, Table 1 of this report.
- viii. The upgrade of the L-56031 to the specification as per Item1 Table 1 above, shall be certified by a Consultant Engineer.
Reason: In the interests of the traffic safety, proper planning and sustainable development.

12. Archaeology

- i. Prior to the commencement of development the applicant is required to engage the services of a suitably qualified archaeologist to carry out an archaeological assessment of the development site. No sub-surface work should be undertaken in the absence of the archaeologist without his/her express consent.

- ii. The archaeologist should carry out any relevant documentary research and inspect the site. Test trenches shall be excavated at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-2004), having consulted the site drawings, the results of the geophysical survey and the National Monument Service.
- iii. Having completed the work, the archaeologist should submit a written report to the Planning Authority and to the office of the Department of Arts, Heritage and the Gaeltacht prior to the commencement of any development. Where archaeological, material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.

Reason: In the interest of archaeological heritage and proper planning and sustainable development.

- 13. Prior to the commencement of any development the applicant/developer shall submit details of more preventative measures and the development of a more robust mitigation measures in the event of a failure in the integrity of the tank farms. Efforts to minimize the effects on soils, geology and hydrogeology in the event of a serious failure of these facilities to be submitted for the written agreement of the planning authority.

Reason: In the interest of public health and proper planning and sustainable development.

- 14. This permission relates exclusively to the construction of a bio-energy facility containing a reception building, reception area, engine room, pumps and heat exchangers. Administration building containing office, staff and amenity and changing facilities. Permission is also sought for tank farms to include 2 no. anaerobic digestors, 2 no. post digestion storage tanks, 5 no. pre-storage tanks, gas flare and gas cleaning vessel. Ancillary features will include 1 no. weigh bridge, ESB substation, post digestion loading area, wheel wash area, on site waste water treatment system, fencing, gates, new access road to proposed N4 grade separation scheme and internal roads with all associated works including landscaping, boundaries and services above and below ground. Permission is also sought for temporary road access on to the R-156 Killucan road from the proposed development during the construction of the new N4 Grade separation scheme. The process of anaerobic digestion is the subject of an application for a waste licence all of which is described in detail in an accompanying Environmental Impact Statement (EIS). All of the relevant waste recovery activities as per the fourth schedule of the Waste Management Act 1996-2003 to which this application relates in accordance with the attached conditions and does not relate to the remainder of the building or the site. Any such uses insofar as they are not already authorised shall require a separate grant of permission.

Reason: To avoid any misunderstanding as to the proper construction of this permission.

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Appendix B4

Site Notice
Newspaper Ad

SITE NOTICE

APPLICATION TO THE ENVIRONMENTAL PROTECTION AGENCY FOR A WASTE LICENCE

We bio Agrigas Ltd, intend to apply to the Environmental Protection Agency for a waste license at Newdown, The Downs, Mullingar Co Westmeath.

The principal class of activity as per the Third and Fourth Schedules of the Waste Management Acts 1996 to 2008 and as amended by the European communities (Waste directive) regulations 2011 will be as follows:

Fourth Schedule Waste Recovery Activities

Class 3: Recycling /reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes), which includes gasification and pyrolysis using the components as chemicals.

This activity refers to the principal activity of the facility namely the operation of two anaerobic digesters which will be designed to receive c. 20,000 tonnes/year of feedstock sourced in the local area including agri-industry slurries, energy crops, food processing wastes and will also process Category 2 ABP material. The material is biologically processed within the digesters to produce biogas and digestate.

Class 11: Use of waste obtained from any of the operations numbered R 1 to R 10.

This activity refers to the use off- site of the electricity and digestate produced as a result of the anaerobic digestion process.

Class13: Storage of waste pending any of the operations numbered R 1 to R 12 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5(1)), pending collection, on the site where the waste is produced).

This activity refers to the storage on site of the agri-industry slurries, energy crops, food processing wastes prior to processing in the anaerobic digesters. This is also to allow for the temporary storage of unacceptable waste in a designated quarantine area at the facility.

The application relates to a new bio-energy facility at Newdown the Downs Co Westmeath – National Grid Reference ITM 651083E 750649N. A copy of the application for the license review will as soon as practicable after receipt by the Agency be inspected at or purchased from the headquarters of the Agency at Johnstown Castle Estate, Co. Wexford.

The application is being accompanied by an Environmental Impact Statement (EIS). The EIS together with any further information relating to the application, as may be furnished to the Agency in the course of the Agency's consideration of the Application, will also be available from the headquarters of the Agency. A copy of the EIS has already been submitted to Westmeath County Council as part of the Planning Application.

Signed: (agent) _____

ORS Consulting Engineers
Marlinstown Office Park
Marlinstown, Mullingar, Co. Westmeath
Tel no. 044-9342518

Date of erection of site notice: 19th JULY, 2012 .

APPLICATION TO THE ENVIRONMENTAL PROTECTION AGENCY FOR A WASTE LICENCE

We Bio Agrigas Ltd, intend to apply to the Environmental Protection Agency for a waste license at Newdown, The Downs, Mullingar Co Westmeath.

The principal class of activity as per the Third and Fourth Schedules of the Waste Management Acts 1996 to 2008 and as amended by the European communities (Waste directive) regulations 2011 will be as follows:

Fourth Schedule Waste Recovery Activities

Class 3: Recycling /reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes), which includes gasification and pyrolysis using the components as chemicals.

This activity refers to the principal activity of the facility namely the operation of two anaerobic digesters which will be designed to receive c. 20,000 tonnes/year of feedstock sourced in the local area including agri-industry slurries, energy crops, food processing wastes and will also process Category 2 ABP material. The material is biologically processed within the digesters to produce biogas and digestate.

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This activity refers to the storage on site of the agri-industry slurries, energy crops, food processing wastes prior to processing in the anaerobic digesters. This is also to allow for the temporary storage of unacceptable waste in a designated quarantine area at the facility.

The application relates to a new bio-energy facility at Newdown the Downs Co Westmeath, ITM 651083E 750649N. A copy of the application for the license, as soon as practicable after receipt by the Agency, can be inspected at or purchased from the headquarters of the Agency at Johnstown Castle Estate, Co. Wexford.

The application is being accompanied by an Environmental Impact Statement (EIS). The EIS together with any further information relating to the application, as may be furnished to the Agency in the course of the Agency's consideration of the Application, will also be available from the headquarters of the Agency. A copy of the EIS has already been submitted to Westmeath County Council as part of the Planning Application.

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Appendix B5
Letter to Planning Authority

Westmeath Co council
Planning Department,
Civic offices,
Mount Street, Mullingar,
Co Westmeath

19th July 2012

RE: Application for a waste licence BioAgrigas Ltd, Newdown, The Downs, Co Westmeath

Dear Sir / Madam,

We wish to inform you that Bio Agrigas Ltd Newdown, The Downs Co Westmeath intends to apply to the Environmental Protection Agency for a Waste Licence for an anaerobic digestion facility at Newdown, The Downs Co Westmeath. The facility will consist of plant for treatment by anaerobic digestion of up to 20,000 tonnes per annum of non-hazardous waste.

The Principal class of activity at the facility, as specified in the Fourth Schedule of the Waste Management Acts 1996 to 2008 is as follows:

Recycling or reclamation of organic substances which are not used as solvents (including composting and other biological processes) which includes gasification and pyrolysis using the components as chemicals.

An Environmental Impact Statement will be submitted to the Agency with the Waste Licence Application. A copy of the Waste Licence Application, the Environmental Impact Statement, and such further information relating to the application as may be furnished to the Agency in the course of the Agency's consideration of the application, will as soon as practicable after receipt by the Agency, be available for inspection or purchase at the headquarters of the Agency.

Yours Sincerely

Damien Collins
For and on behalf of
ORS Consulting Engineers
Email: d.collins@ors.ie

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Appendix B6
Certificate of Incorporation

Number 496273

Certificate of Incorporation

I hereby certify that

BIO AGRIGAS LIMITED

is this day incorporated under
the Companies Acts 1963 to 2009,
and that the company is limited.

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Given under my hand at Dublin, this
Tuesday, the 15th day of March, 2011

Par DeL

for Registrar of Companies

*The Companies Acts 1963 to 2009
Private Limited Company by Shares*

**MEMORANDUM
AND ARTICLES OF
ASSOCIATION**

BIO AGRIGAS LIMITED

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*Company No. 496273
Date of Incorporation: 15th March 2011*

**ICC FORMATIONS
THE CHASE
CARMANHALL ROAD
SANDYFORD
DUBLIN 18**

PHONE: 01 256 6200

FAX: 01 256 6299

COMPANIES ACTS 1963 TO 2009

COMPANY LIMITED BY SHARES

MEMORANDUM OF ASSOCIATION

OF

BIO AGRIGAS LIMITED

1. The name of the Company is BIO AGRIGAS LIMITED

2. The objects for which the Company is established are:

(A) To carry on business as providers of electricity from agricultural crops and food waste, for the generation and exploitation of power, generating, exporting and distributing electricity, and all other related activities.

(B) To undertake and carry on and execute all kinds of financial, commercial, trading, manufacturing and other operations, and to carry on any other business which may seem to be capable of being conveniently carried on in connection with any of these objects, or calculated directly or indirectly to enhance the value of or facilitate the realisation of or render profitable, any of the Company's property or rights.

(C) To acquire by purchase, lease, sub-lease, exchange, hire or licence or otherwise, and hold for any estate or interest, and to take options over any lands, buildings, water, wells, streams, easements, rights, privileges, concessions, machinery, plant, stock-in-trade and any real, personal, heritable, or movable property of any kind which may appear to be necessary or convenient for the Company's business or for developing or utilising any of the Company's property.

(D) To build, construct, maintain, alter, enlarge, pull down and remove or replace any buildings, offices, factories, mills, works, wharves, roads, railways, tramways, machinery, engines, walls, fences, banks, dams, sluices, or watercourses, and to clear sites for the same, or to join with any person, firm or company in doing any of the things aforesaid, and to work, manage and control the same, or join with others in so doing.

(E) To apply for, purchase or by other means acquire and protect, prolong and renew, in any part of the world, any patents, patent rights, brevets d'invention, licences, protections and concessions which may appear likely to be advantageous or useful to the Company, and to use and turn to account and to manufacture under, or grant rights or privileges in respect of the same, and to expend money in experimenting upon testing, and in improving or seeking to improve any patents, inventions or rights which the Company may acquire or propose to acquire.

(M) To apply for, promote and obtain any Act of the Oireachtas, provisional order or licence of the appropriate Minister, or other authority for enabling the Company to carry any of its objects into effect, or for effecting any modification of the Company's constitution, or for any other purpose which may seem expedient, and to oppose any proceedings or applications which may seem calculated, directly or indirectly, to prejudice the Company's interests.

(N) To enter into any arrangements with any governments or authorities (supreme, municipal, local or otherwise), or any corporations, companies or persons that may seem conducive to the attainment of the Company's objects, or any of them, and to obtain from any such government, authority, corporation, company or person any charters, contracts, decrees, rights, privileges and concessions which the Company may think desirable, and to carry out, exercise and comply with any such charters, contracts, decrees, rights, privileges and concessions.

(O) To purchase or otherwise acquire for cash or by the issue of shares or debentures or debenture stock, or partly for cash, and partly for shares or debentures or debenture stock, and to sell, lease, let, sublet, exchange, dispose, surrender, let on rent, share of profit, royalty or otherwise, grant options over, mortgage, charge, convert, turn to account, dispose of and otherwise deal with (whether for good or valuable consideration or otherwise) real and personal property and rights of all kinds, and in particular mortgages, debentures, produce, concessions, options, contracts, patents, annuities, licences, stocks, shares, bonds, policies, book debts, business concerns, goodwill and undertakings and claims, privileges and choses in action of all kinds.

(P) To act as agents or brokers and as trustees for any person, firm or company, and to undertake and perform sub-contracts, and also to act in any of the businesses of the Company through or by means of agents, brokers, subcontractors or others.

(Q) To remunerate any person, firm or company rendering services to this Company, either by cash payment or by the allotment to him or them of shares or securities of the Company credited as paid up in full or in part or otherwise as may be thought expedient.

(R) To pay all or any expenses incurred in connection with the promotion, formation and incorporation of the Company, or to contract with any person, firm or company to pay the same and to pay commissions to brokers and others for underwriting, placing, selling or guaranteeing the subscription of any shares, debentures, debenture stock or securities of this Company.

(S) To establish and maintain or procure the establishment and maintenance of any non-contributory or contributory pension or superannuation funds for the benefit of and give or procure the giving of donations, gratuities, pensions, allowances, or emoluments to any persons who are or were at any time in the employment or service of the Company, or of any company which is for the time being the Company's holding or subsidiary company as defined by Section 155 of the Companies Act 1963 or otherwise associated with the Company in business or who are or were at any time directors or officers of the Company or of any such other company as aforesaid and the wives, widows, families and dependants of any such persons and also to establish and subsidise or subscribe to any institutions, associations, clubs or funds calculated to be for the benefit of or to advance the interests and well-being of the Company or of any such other company as aforesaid or of any such persons

We, the several persons, whose names, addresses and descriptions are subscribed, wish to be formed into a Company in pursuance of this Memorandum of Association, and we agree to take the number of shares in the capital of the Company set out opposite our names.

Names, Addresses and Description of Subscribers	Number of Shares taken by each subscriber
ELIZABETH DAWSON 75 TEMPLEVILLE DRIVE TEMPLEOGUE DUBLIN 6W	TWENTY FIVE
PRODUCTION	
ELIZABETH NILAND, 1 SAINT MARY'S PARK WALKINSTOWN DUBLIN 12	TWENTY FIVE
PRODUCTION CO-ORDINATOR	
JASON BOWERS APARTMENT 2 5 CROW STREET TEMPLE BAR DUBLIN 2	TWENTY FIVE
ACCOUNTS MANAGER	
PHILIP GILBOY 32 THE CAMMOCK MOUNT BROWN DUBLIN 8	TWENTY FIVE
SALES EXECUTIVE	
TOTAL NUMBER OF SHARES TAKEN	ONE HUNDRED

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Dated this 9th day of March 2011 =

Witness to the above signatures:

RACHEL SULLIVAN
THE CHASE
CARMANHALL ROAD
SANDYFORD
DUBLIN 18

3. When any shares have been forfeited an entry shall forthwith be made in the Register of Members of the company recording the forfeiture and the date thereof, and so soon as the shares so forfeited have been sold or otherwise disposed of an entry shall be made of the manner and date of the sale or disposal thereof.

4. The lien conferred by Regulation 11 of Table A shall attach to fully paid up shares and to all shares registered in the name of any person indebted or under liability to the Company, whether he shall be the sole registered holder thereof or shall be one of several joint holders.

5. Any share of a deceased member may be transferred by his executor or administrator to the widow or widower, child or grandchild of such deceased member and Regulation 3 of Part II of Table A shall be amended accordingly.

6. Without prejudice to any special rights previously conferred on the holders of existing shares, any share (including shares which the Company shall have power to issue under Section 207 of the Companies Act, 1990 or otherwise) may be issued with such preferred, deferred or other special rights, or such restrictions whether in regard to dividend, voting, return of share capital or otherwise, as the Company may from time to time determine, and any Share may be issued on the terms that it is, or at the option of the Company is liable to be, redeemed. Subject to the provisions of the aforementioned Act, the redemption of such shares may be effected on such terms and in such manner as the Board may from time to time determine.

MEETINGS

7. The following words shall be added to the end of Regulation 53 of Part I of Table A "and fixing the remuneration of Directors."

8. Subject to Section 141 of the Act, a resolution in writing signed by all the Members for the time being entitled to attend and vote on such resolution at a General Meeting (or being bodies corporate by their duly authorised representatives) shall be as valid and effective for all purposes as if the resolution had been passed at a General Meeting of the Company duly convened and held, and if described as a Special Resolution shall be deemed to be a Special Resolution within the meaning of the Act. Any such resolution may consist of several documents in the like form each signed by one or more of such Members (or their duly authorised representatives).

Such a resolution may also consist of one or more telex, telefax or facsimile messages in like form signed in the name of each or all of the Members provided that in the case of each such telex, telefax or facsimile message the Secretary or any Director shall have endorsed the same with a certificate stating that he is satisfied as to the authenticity thereof. For the purpose of this Article the signature of an alternate Director shall suffice in lieu of the Director whom he represents.

9. Subject to Section 140 of the Companies Act 1963 concerning Annual General Meetings, all other meetings (including Extraordinary General and Class Meetings of the Members of the Company and all meetings of the Board of Directors including any committees of the Board of Directors) may be conducted by the use of a conference telephone or similar facility provided always that the Chairman of the Meeting notes his satisfaction that all of the

until the next following annual general meeting, when he shall retire, but shall be eligible for re-election.

16. A Director shall not require any share qualification.

17. A Resolution in writing signed by all the Directors for the time being entitled to receive notice of a meeting of the Directors shall be as valid and effective for all purposes as a resolution of the Directors as if it had been passed at a meeting of the Directors duly convened and held and may consist of several documents in the like form each signed by one or more of the Directors. For the purpose of this Article, the signature of an alternate Director shall suffice in lieu of the signature of the Director appointing him.

Such a resolution may also consist of one or more telex, telefax or facsimile messages in like form signed in the name of each or all of the Directors provided that in the case of each such telex, telefax or facsimile message the Secretary or any Director shall have endorsed the same with a certificate stating that he is satisfied as to the authenticity thereof. For the purpose of this Article the signature of an alternate Director shall suffice in lieu of the Director whom he represents.

18. The quorum of Directors for transacting business shall, unless otherwise fixed by the Directors, be two.

DISQUALIFICATION OF DIRECTORS

19. The office of a Director shall be vacated:

- (a) If he becomes bankrupt or insolvent or compounds with his creditors.
- (b) If he becomes restricted or disqualified pursuant to an Order made under the provisions of the Companies Act, 1990.
- (c) If he becomes incapable by reason of mental disorder, illness or injury of managing or administering his property and affairs or be found lunatic.
- (d) If he is convicted of an indictable offence (other than an offence under the Road Traffic Act, 1961, or any Act amending the same) unless the directors otherwise determine.
- (e) If he absents himself from the meetings of Directors for a period of six calendar months without special leave of absence from the other directors.
- (f) If he gives the Directors notice in writing that he resigns his office.

But any act done in good faith by a Director whose office is vacated as aforesaid shall be valid unless, prior to the doing of such act, written notice shall have been served upon the Directors or an entry shall have been made in the Directors' Minute Book stating that such Director has ceased to be a Director of the Company.

hours after despatch in the case of post, cables and telegrams and at the expiration of 12 hours after despatch in the case of telex, telefax, electronic mail or other method of communication approved by the directors.

(b) The Directors shall be entitled to receive notice of and to attend at any General Meeting of the Company and Regulation 136 of Part I of Table A shall be modified accordingly.

CAPITALISATION OF PROFITS

24. The Company in general meeting may at any time pass a resolution declaring that any undivided profits of the Company (including any profits which have been carried to reserve) shall be capitalised, and accordingly that the sum so directed to be capitalised be distributed as a bonus free of income tax amongst the holders of the ordinary shares in proportion to the ordinary shares held by them respectively, and that such sum shall be applied as a payment by and on behalf of the holders of the ordinary shares so becoming entitled respectively for or on account of such number of ordinary shares in the Company as shall be equal in nominal amount to the share of such sum so belonging and appropriated to them respectively, and that the board be authorised to distribute amongst them the said shares in like proportions, and the same shall be accepted by such members accordingly.

25. When such resolution and a resolution providing for such increase (if any) in the capital of the Company as may be necessary for this purpose have been passed, the Board may allot and issue such number of ordinary shares credited as fully paid up as shall be equal in nominal amount to the sum capitalised under the provisions of the last preceding Article to the holders of the outstanding ordinary shares in satisfaction of the said bonus, and as nearly as may be in proportion to the ordinary shares held by them respectively with full power to make such provisions by the issue of fractional certificates or otherwise as they think expedient for the case of fractions, and prior to such allotment the Board may authorise any person on behalf of the holders of such ordinary shares to enter into any agreement with the Company providing for the allotment to them of such shares credited as fully paid up, and in satisfaction as aforesaid, and any agreement made under such authority shall be effective.

WINDING UP

26. If the Company shall be wound up, the assets remaining after payment of the debts and liabilities of the Company and the costs of the liquidation shall be applied: first, in repaying to the members the amounts paid up or credited as paid up on the shares held by them respectively; and the balance (if any) shall be distributed among the members in proportion to the number of shares held by them respectively. Provided always that the provisions hereof shall be subject to the rights of the holders of shares (if any) issued upon special conditions.

27. With the sanction of a special resolution of the members any part of the assets of the company, including any shares in or securities of other companies, may be divided among the members of the Company in specie, or may be vested in trustees for the benefit of such members and the liquidation of the Company may be closed and the Company dissolved, but so that no member shall be compelled to accept any shares whereon there is any liability.

NAMES, ADDRESSES AND DESCRIPTIONS OF SUBSCRIBERS

ELIZABETH DAWSON
75 TEMPLEVILLE DRIVE
TEMPLEOGUE
DUBLIN 6W

PRODUCTION

ELIZABETH NILAND,
1 SAINT MARY'S PARK
WALKINSTOWN
DUBLIN 12

PRODUCTION CO-ORDINATOR

JASON BOWERS
APARTMENT 2
5 CROW STREET
TEMPLE BAR
DUBLIN 2

ACCOUNTS MANAGER

PHILIP GILBOY
32 THE CAMMOCK
MOUNT BROWN
DUBLIN 8

SALES EXECUTIVE

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Dated this 9th day of March 2011

Witness to the above signatures:

RACHEL SULLIVAN
THE CHASE
CARMANHALL ROAD
SANDYFORD
DUBLIN 18

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